

FORM PTO-1390
(REV. 01-2003)

US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER
120307**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/500,925INTERNATIONAL APPLICATION NO.
PCT/JP03/00152INTERNATIONAL FILING DATE
January 10, 2003PRIORITY DATE CLAIMED
January 10, 2002TITLE OF INVENTION
INSECTICIDE CONTAINING HYDRAZONE DERIVATIVE AS ACTIVE INGREDIENT AND NOVEL HYDRAZONE DERIVATIVEAPPLICANTS FOR DO/EO/US
Shinji KAWATA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 - c. ☐ The International Application was filed in English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Response to Notification of Missing Requirements.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 10/500,925)		INTERNATIONAL APPLICATION NO. PCT/JP03/00152		ATTORNEY'S DOCKET NUMBER 120307	
21. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)): \$ 300.00				\$	
SEARCH FEE (37 CFR 1.492(b)(1)-(3)):				\$	
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA \$ 100.00					
International search report provided to USPTO no later than the time at which the search fee is paid \$ 400.00					
All situations not provided for above \$ 500.00					
EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):				\$	
International preliminary examination report prepared by the USPTO as IPEA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 100.00					
All situations not provided for above \$ 200.00					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
TOTAL PAGES OF APPLICATION OVER 100 (- 100)	÷ 50	= †	x 250 =	\$	
†round up to next integer					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
TOTAL CLAIMS	- 20	=	x 50.00 =	\$	
INDEPENDENT CLAIMS	- 3	=	x 200.00 =	\$	
MULTIPLE DEPENDENT CLAIM(S)(if applicable)			+ 360.00 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Check No. in the amount of \$ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944					
Date <u>March 10, 2005</u>			NAME: James A. Oliff REGISTRATION NUMBER: 27,075 NAME: Jesse O. Collier REGISTRATION NUMBER: 53,839		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinji KAWATA et al.

ATTN: PCT Branch

Application No.: 10/500,925

Docket No.: 120307

Filed: July 27, 2004

For: INSECTICIDE CONTAINING HYDRAZONE DERIVATIVE AS ACTIVE
INGREDIENT AND NOVEL HYDRAZONE DERIVATIVE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

UNDER 35 U.S.C 371 IN THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

DECLARATION ALREADY FILED

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on January 10, 2005, the executed Declaration of the inventors was filed on July 27, 2004. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on July 27, 2004 with our Check No. 156719 for \$130.00.

Entry of these documents on July 27, 2004 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:JOC/emt

Date: March 10, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

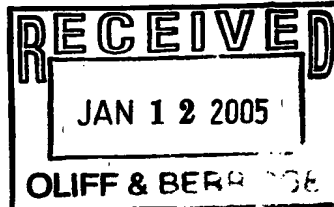


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,925	Shinji Kawata	120307

25944
 OLIFF & BERRIDGE, PLC
 P.O. BOX 19928
 ALEXANDRIA, VA 22320



INTERNATIONAL APPLICATION NO.	
PCT/JP03/00152	
LA. FILING DATE	PRIORITY DATE
01/10/2003	01/10/2002

CONFIRMATION NO. 8941
 371 FORMALITIES LETTER



OC000000014879836

Date Mailed: 01/10/2005

MISSING PARTS

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2004
- English Translation of the IA filed on 07/08/2004
- Copy of the International Search Report filed on 07/08/2004
- Copy of IPE Report filed on 07/08/2004
- English Translation of IPE Report filed on 07/08/2004
- Preliminary Amendments filed on 07/08/2004
- Oath or Declaration filed on 07/08/2004
- Request for Immediate Examination filed on 07/08/2004
- U.S. Basic National Fees filed on 07/08/2004
- Priority Documents filed on 07/08/2004

DUE DATE

MAR 10 2005

DOCKETED

By hkm on 1/12 20 05

and
 By Jmm on 1/12 20 05

Oliff & Berridge

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The fifth inventor on the declaration is identified as an applicant only, therefore, he should not have executed the declaration.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,925	PCT/JP03/00152	120307

FORM PCT/DO/EO/905 (371 Formalities Notice)

PTO RECEIPT FOR FILING OF PAPERS

► **Mail Room (Regular Delivery)**

The following papers have been filed:

PCT t, ck # 156719 (\$130), DEC

Name of Applicant: Shinji KAWATA et al.

Serial No.: New U.S. National Stage Application of PCT/JP03/00152

Atty. File No.: 120307

Title (New Cases):

Sender's Initials: JAO/emt

34/28

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

**Oliff & Berridge, PLC
277 S. Washington Street, Suite 500, Alexandria, Virginia 22314**

**DECLARATION AND POWER OF ATTORNEY
UNDER 35 USC § 371(c)(4) FOR
PCT APPLICATION FOR UNITED STATES PATENT**

As a below named inventor, I hereby declare that:
my residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled:

**INSECTICIDE CONTAINING HYDRAZONE DERIVATIVE AS ACTIVE INGREDIENT AND NOVEL HYDRAZONE
DERIVATIVE**

described and claimed in international application number PCT/JP03/00152 filed on January 10, 2003

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

Japanese Patent Application No. 2002-3830 filed on January 10, 2002
Japanese Patent Application No. 2002-198275 filed on July 8, 2002
Japanese Patent Application No. 2002-262256 filed on September 9, 2002

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s)

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg.No.27,075; William P. Berridge, Reg.No.30,024;
Kirk M. Hudson, Reg.No.27,562; Thomas J. Pardini, Reg.No.30,411;
Edward P. Walker, Reg.No.31,450; Robert A. Miller, Reg.No.32,771;
Mario A. Costantino, Reg.No.33,565; and Stephen J. Roe, Reg.No.34,463.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA, 22320, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Typewritten Full Name of Sole or First Inventor	<u>Shinji</u>	Middle Initial	<u>KAWATA</u>
Given Name	<u>Shinji Kawata</u>	Family Name	
**Inventor's Signature			<u>2004</u>
** Date of Signature	<u>July</u>	<u>16</u>	<u>Year</u>
	Month	Day	
Residence	<u>Machida-shi</u>	<u>Tokyo</u>	<u>Japan</u>
City		State of Province	Country
Citizenship	<u>Japanese</u>		
Post Office Address	<u>1610-7, Kiso-cho, Machida-shi, Tokyo 194-0033, Japan</u>		
(Insert complete mailing address, including country)			

*Note to Inventor: Please sign name on line 2 exactly as it appears line 1 and insert the actual date of signing on line 3.

IF THERE IS MORE THAN ONE INVENTOR USE PAGE 2 AND PLACE AN "X" HERE ☒

(Discard this page in a sole inventor application)

Typewritten Full Name
of Second Joint

Inventor (if any) Shuko OKUI
Given Name Middle Initial Family Name
**Inventor's Signature Shuko Okui
*Date of Signature July 16 2004
Month Day Year
Residence Chuo-ku Tokyo Japan
City State or Province Country
Citizenship Japanese
Post Office Address c/o Nihon Nohyaku Co., Ltd., 2-5, Nihonbashi 1-chome, Chuo-ku, Tokyo 103-8236
(Insert complete mailing Japan
address, including country)

Typewritten Full Name
of Third Joint

Inventor (if any) Shigeru SUZUKI
Given Name Middle Initial Family Name
**Inventor's Signature Shigeru Suzuki
*Date of Signature July 16 2004
Month Day Year
Residence Kawachinagano-shi Osaka Japan
City State or Province Country
Citizenship Japanese
Post Office Address c/o Nihon Nohyaku Co., Ltd., Research Center, 345, Oyamada-cho, Kawachinagano-shi
(Insert complete mailing Osaka 586-0094, Japan
address, including country)

Typewritten Full Name
of Fourth Joint

Inventor (if any) Toshiki FUKUCHI
Given Name Middle Initial Family Name
**Inventor's Signature Toshiki Fukuchi
*Date of Signature July 16 2004
Month Day Year
Residence Kawachinagano-shi Osaka Japan
City State or Province Country
Citizenship Japanese
Post Office Address c/o Nihon Nohyaku Co., Ltd., Research Center, 345, Oyamada-cho, Kawachinagano-shi
(Insert complete mailing Osaka 586-0094, Japan
address, including country)

Typewritten Full Name
of Fifth Joint

Inventor (if any) Akiyuki SUWA
Given Name Middle Initial Family Name
**Inventor's Signature Akiyuki Suwa
*Date of Signature July 16 2004
Month Day Year
Residence Kawachinagano-shi Osaka Japan
City State or Province Country
Citizenship Japanese
Post Office Address c/o Nihon Nohyaku Co., Ltd., Research Center, 345, Oyamada-cho, Kawachinagano-shi
(Insert complete mailing Osaka 586-0094, Japan
address, including country)

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.
This form may be executed only when attached to the first page of the Declaration and Power of Attorney of the application to which it pertains.